

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



**OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS**

CASE NUMBER:
PA10033-AC

VIOLATOR:
Joe Frisco
dba: Wonderful World of
Animals

ADDRESS (Street, City, State, ZIP Code):
4821 Alta Lane
Peoria, IL 61615

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: April 10, 2010

9 C.F.R. § 2.8 Notification of change of name, address, control, or ownership of business. A licensee shall promptly notify the AC Regional Director by certified mail of any change in the name, address, management, or substantial control or ownership of his business or operation, or of any additional sites, within 10 days of any change.

You failed to notify the AC Regional Director of an additional site where your animals are kept. During the investigation of the death of one of your employees on the above date, APHIS noted that you had not notified the AC Regional Director of your alternate primary animal enclosure located at 13829 CR 672, Wimauma, FL 33598.

Date of Violation: April 10, 2010

9 C.F.R. § 2.126(a) Access and inspection of records and property.

(a) Each dealer, exhibitor, intermediate handler, or carrier, shall, during business hours, allow APHIS officials:

- (1) To enter its place of business;
- (2) To examine records required to be kept by the Act and the regulations in this part;
- (3) To make copies of the records;
- (4) To inspect and photograph the facilities, property and animals, as the APHIS officials consider necessary to enforce the provisions of the Act, the regulations and the standards in this subchapter; and
- (5) To document, by the taking of photographs and other means, conditions and areas of noncompliance.

You failed to provide APHIS an itinerary of your exhibition schedule. During the investigation of the death of one of your employees on the above date, APHIS noted that you had not notified AC of your planned exhibit at the 2010 Irem Shrine Circus in Kingston, PA.

Date of Violation: April 10, 2010

9 C.F.R. § 3.125(a) Facilities, general.

(a) Structural strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

You failed to maintain a temporary primary enclosure of such material and strength to protect animals from injury. During the investigation of the death of one of your employees on the above date, APHIS observed that one corner of the temporary primary enclosure for the elephant named "Dumbo" had been secured to a metal electrical conduit by means of a rope. Dumbo was able to reach through the fencing, pull the conduit from the wall, thus dropping the electrical fence on her back and shocking and injuring herself.

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name):

Robert J. Huttenlocker

OFFICE ADDRESS:

4700 River Road, Unit 85
Riverdale, MD 20737

APHIS OFFICIAL (Title):

Director, Investigative and Enforcement Services

DATE ISSUED:

3/26/2013

TELEPHONE NUMBER:

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